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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,456	MAY 30 2002 JUL 01/2002	Hermann W. Rutsch	344/1/050

CONFIRMATION NO. 6667

## FORMALITIES LETTER



\*OC000000007797297\*

Richard M. Goldberg  
Suite 419  
25 East Salem Street  
Hackensack, NJ 07601

Date Mailed: 04/04/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

/2002 MTEKLEMI 00000001 071524 10087456

:202 42.00 CH  
:203 189.00 CH  
:204 140.00 CH

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 565.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

06/03/2002 MBIZ determined 071524 10087456

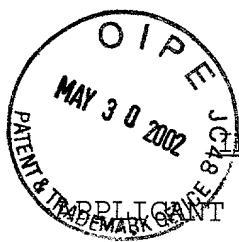
01 FC:201 370.00 CH  
02 FC:205 65.00 CH  
03 FC:139 130.00 CH

A copy of this notice **MUST** be returned with the reply.

*marzguil*  
Customer Service Center

Void date: 06/27/2002 MTEKLEMI 00000001 071524 10087456  
01 FC:202 42.00 CH  
02 FC:203 189.00 CH  
03 FC:204 140.00 CH

44  
MP#  
#3  
344/1/050  
PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Hermann W. RUTSCH

SERIAL NO.: 10/087,456

FILED : MARCH 1, 2002

FOR : METHOD OF PRODUCING A LORDOSIS SUPPORT

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on MAY 24, 2002.

Richard M. Goldberg  
(Name of Registered Representative  
and person mailing)

Richard M. Goldberg May 24,  
(Signature and Date) 2002

SUBMISSION OF MISSING PARTS OF APPLICATION  
UNDER 37 C.F.R. 1.53

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Customer Service Center  
Initial Patent Examination Division

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (copy enclosed) which was mailed on April 4, 2002, Applicants submit herewith the following:

1. Original application as translated into English along with Verification of Translation (the translation is an accurate translation);

2. A Combined Declaration and Power of Attorney making reference to the above identified application, and in compliance with 37 C.F.R. 1.63, and signed and dated by applicant;

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3. An Assignment from the inventor to Jörg SCHWARZBICH,  
along with a Recordation Form Cover Sheet - Patents Only;
4. Preliminary Amendment;
5. Letter to Official Draftsman and Submission of New  
Formal Drawings;
6. Petition for Grant of Priority and Certified Copy of  
German priority application No. 101 10 138.4, filed March 2,  
2001;
7. Information Disclosure Statement, one Form PTO-1449,  
five references, Search Report from the German Patent Office and  
translation thereof;

8. As **applicant qualifies for small entity status**, the  
Commissioner is authorized to charge Deposit Account No. 07-1524  
in the amount of \$605.00 to cover the following:

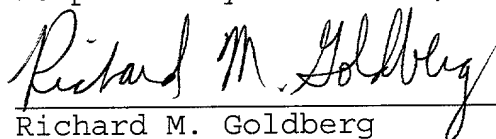
- (a) Basic Filing Fee under 37 C.F.R. 1.16(a)  
claiming small entity status ..... \$ 370.00
- (b) Surcharge for late filing of  
Missing Parts of Application under  
37 C.F.R. 1.16(e) ..... \$ 65.00
- (c) Assignment recordal ..... \$ 40.00
- (d) Surcharge for late filing of English  
translation of application ..... \$ 130.00

In the event that this Paper is late filed, and the  
necessary petition for extension of time is not filed

concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

Respectfully submitted,



Richard M. Goldberg  
Attorney for Applicant  
Registration No. 28,215

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344/1/050



## VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare as follows:

My name and post office address are as stated below.

I am knowledgeable in the English language and in the language of the attached foreign-language document and I believe the attached English translation of that document, which has the title, "**METHOD OF PRODUCING A LORDOSIS SUPPORT**", is a true and complete translation thereof.

A handwritten signature in cursive script, reading "Walter J. Herzberg", written over a horizontal line.

Walter J. Herzberg  
5-21 Elizabeth Street  
Fair Lawn, NJ 07410

April 15, 2002